

4607

BILL NO. Z-79-08-45

ZONING MAP ORDINANCE NO. Z-

*Will Means*

AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. K-10.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1A District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. K-10, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

Lot Number 79 in Archer's Addition to the City of  
Fort Wayne, Indiana, more commonly known as  
1515 St. Mary's Avenue.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

*Samuel J. Talarico*  
Councilman

APPROVED AS TO  
FORM & LEGALITY

*William N. Salin*  
William N. Salin, City Attorney

Read the first time in full and on motion by Delmas, seconded by

Thingo, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 8-28-79

Charles W. Winters  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_,

seconded by \_\_\_\_\_, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	_____	_____
<u>MOSES</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
ATTEST: (SEAL)

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
MAYOR

Read the first time in full and on motion by \_\_\_\_\_,  
seconded by \_\_\_\_\_, and duly adopted, read the second time  
by title and referred to the Committee \_\_\_\_\_ (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: \_\_\_\_\_

CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Eisbart  
seconded by Sulphur, and duly adopted, placed on its  
passage. ~~PASSED~~ (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GIAQUINTA</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>SCHOMBURG</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: 10-14-80

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)  
(APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST: (SEAL)

CHARLES W. WESTERMAN - CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_  
o'clock \_\_\_\_\_ M., E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of  
19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
WINFIELD C. MOSES, JR.  
MAYOR

BILL NO. Z-79-08-45

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN  
ORDINANCE amending the City of Fort Wayne Zoning Map No. K-10

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND W/AMEND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE PASS.

BEN EISBART, CHAIRMAN

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

SAMUEL J. TALARICO

DONALD J. SCHMIDT

10-14-80

DATE 10-14-80 CONTINUED  
CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 28, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-08-45; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 17, 1979; and,

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 22, 1980.

Certified and signed this  
23rd day of September 1980.

*W. Joyce Schlatter*

Joyce Schlatter  
Secretary

## RECEIPT

Date

8-15

19

79

No.

10835

Received From

Snuffer, Haller, Calver

Address

9000 FAWN B

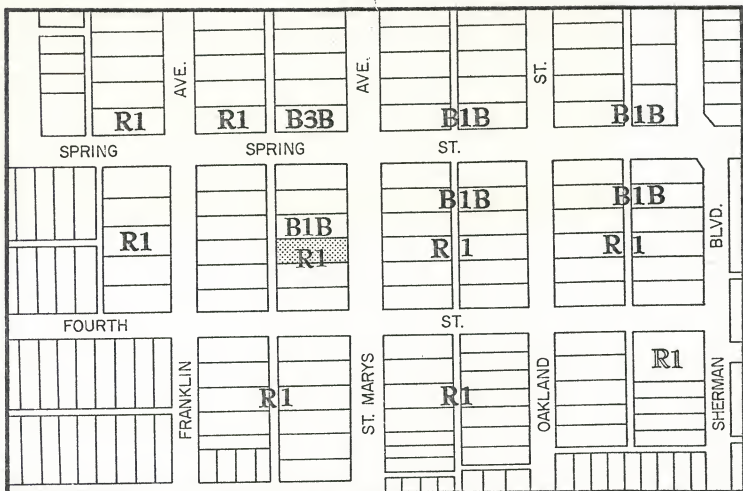
For

Fifty ~~00/100~~ Dollars \$ 50.00  
Rezoning - Rd to B1A  
1515 St. Mary's Ave.

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	✓	
BALANCE DUE			MONEY ORDER		

By

RHB



AMENDMENT FROM R2 TO B1A

MAP NR. - K-10

Z-79-08-45



SNOUTTER, HALLER & COLVIN

ATTORNEYS AT LAW

2000 FORT WAYNE BANK BLDG.

FORT WAYNE, INDIANA 46802

RICHARD I. SNOUTTER

ROBERT W. HALLER

SHERRILL WM. COLVIN

STEPHEN E. LEWIS

STEPHEN L. WILLIAMS

VINCENT J. HEINY

JOHN O. FEIGNER

PERRY D. SHILTS

TELEPHONE

219-424-2000

September 18, 1980

Mr. Gary F. Baeten  
Senior Planner  
City Plan Commission  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

RE: Bill No. Z-79-08-45  
Rezoning of Lot #79 in Archer's Addition  
1515 St. Mary's Avenue

Dear Mr. Baeten:

As a result of your letter dated September 4, 1980, I have contacted Mr. Smead who called this morning with the telephone message that he does not wish to pursue any request for a zoning change at this time.

Accordingly, on behalf of the Petitioner, Mr. and Mrs. John O. Smead, I ask that the Petition noted in the caption be withdrawn.

Very truly yours,

SNOUTTER, HALLER & COLVIN

*Robert W. Haller*  
Robert W. Haller (607)  
RWH:gdf

cc: Barbara Monroe, President  
Hamilton Association For  
Neighborhood Development  
Mr. and Mrs. John O. Smead



PETITION FOR ZONING ORDINANCE AMENDMENT Receipt No. \_\_\_\_\_  
TO: COMMON COUNCIL OF THE Date Filed \_\_\_\_\_  
CITY OF FORT WAYNE, INDIANA Intended Use REALTY OFFICE  
X/we JOHN O. SMEAD and ALICE M. SMEAD  
~ (Applicant's Name or Names)  
do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne,  
Indiana, by reclassifying from a/an R-2 District to a/an ~~R-2~~ B1H  
District the property described as follows:

Lot Number 79 in Archer's Addition to City of Fort Wayne, Indiana.  
1515 St. Mary's Avenue, Fort Wayne, Indiana.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

JOHN O. SMEAD 2637 Sterling Avenue, Ft. Wayne, IN.

ALICE M. SMEAD 2637 Sterling Avenue, Ft. Wayne, IN.

(Name)

(Address)

(Signature)

Legal Description Checked By:

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

ROBERT W. HALLER, 2000 Ft. Wayne Bank Bldg. Ft. Wayne, IN. 219-424-2000

(Name)

(Address)

(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,  
Fort Wayne, Indiana 46802 Telephone Number 423-7571



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

23 September 1980

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1)  
zoning ordinance amendment.

1. Bill No. Z-79-08-45

This ordinance was requested to be WITHDRAWN by written  
request of the petitioner. (Copy of written request is  
attached to ordinance.)

If there are any questions with regard to this ordinance, please feel  
free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

A handwritten signature in cursive script, reading "Gary F. Baeten", followed by a large, stylized initial "P".

Gary F. Baeten  
Senior Planner

GFB:pb

Attachments

SNOUFFER, HALLER & COLVIN

ATTORNEYS AT LAW

2000 FORT WAYNE BANK BLDG.

FORT WAYNE, INDIANA 46802

TELEPHONE

219-424-2000

RICHARD I. SNOUFFER

ROBERT W. HALLER

SHERRILL WM. COLVIN

STEPHEN E. LEWIS

STEPHEN L. WILLIAMS

VINCENT J. HEINY

JOHN O. FEIGHNER

PERRY D. SHILTS

September 18, 1980

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Senior Planner  
City Plan Commission  
City-County Building  
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Fort Wayne, Indiana 46802

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Very truly yours,

SNOUFFER, HALLER & COLVIN

*Robert W. Haller*  
Robert W. Haller (687)  
RWH:gdf

cc: Barbara Monroe, President  
Hamilton Association For  
Neighborhood Development  
Mr. and Mrs. John O. Smead

4607

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment *Waldrom*  
*3-79-08-45*

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lot #79 in Archer's Addition, more commonly known  
as 1515 St. Mary's Avenue.

EFFECT OF PASSAGE Property is now zoned R-2 - Two Family Residential.  
Property will become B-1-A - Limited Business.

EFFECT OF NON-PASSAGE Property will remain R-2 Two Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_